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October 31, 2002 10:02 AM 31 PM 3 27

Ron Jones, Director
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, TN 37243-0505

TN REGULATORY AUTHORITY
DOCKET ROOM

Re: *In the Matter of Petition Of Tennessee UNE-P Coalition To
Open Contested Case Proceeding To Declare Unbundled
Switching An Unrestricted Unbundled Network Element*

Docket No. 02-00207

Dear Director Jones:

The UNE-P Coalition has received and reviewed your "Order on October 2, 2002 Status Conference and Subsequent Filings," issued October 23, 2002. The Order correctly notes that the UNE-P Coalition "requested application of the federal impair standard in its petition which initiated this docket" and that no one has "disputed the applicability of the federal impair standard to this case." Order at 9.

The purpose of this letter is merely to note that the UNE-P Coalition seeks relief in this case under both federal and state law. As the Coalition argued in its Petition, the TRA "has authority to grant the requested relief pursuant to . . . T.C.A. § 65-4-124(a) (entitling telecommunications providers in Tennessee access to features, functions, and services on an unbundled and non-discriminatory basis.)" Petition at 1. The Petition further stated that the TRA "has sufficient authority under state law to grant the requested relief." *Id.*, at 2.

The Coalition is not asking that the Hearing Officer make any changes in the Order, which accurately summarizes the parties' positions on the impair standard, but wishes only to reiterate the dual grounds upon which the Coalition seeks relief.

Respectfully submitted,

BOULT, CUMMINGS, CONNERS & BERRY, PLC

By:


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HW/nl
c: Joelle Phillips, Esq.
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